United Nations A/63/944–S/2009/415

General Assembly
Security Council

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12 August 2009
English
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General Assembly
Sixty-third session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 11 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical table of the violations committed by Israel, by air, sea and land, during the month of July 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

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Annex to the identical letters dated 11 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Statistical table showing Israeli violations during July 2009

Air violations					*Land violations*					
Military jet	*Reconnaissance*	*Helicopter*	*Total*	*Sea violations*	*Military acts of aggression*	*Field violations*	*Breaches*	*Total*	*Overall total*	*Previous month's violations*
				Crossing of territorial waters and firing of automatic-weapon rounds, flares and flare shells over territorial waters	Air raids, artillery shelling, shelling of military positions and important posts and attacks on and killing of civilians	Gunfire, launching of flare shells, dropping of artillery shells and infiltration and crossing of international borders	Threats and display of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory			
14	23	—	37	17	—	9	1	10	64	60

United Nations S/2009/416

Security Council

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12 August 2009

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Letter dated 12 August 2009 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1874 (2009), by which the Council requested me to create, for an initial period of one year, in consultation with the Committee, a group of up to seven experts to carry out tasks as specified in paragraph 26 of the resolution.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1718 (2006), I have appointed the following experts:

Mr. Masahiko Asada, Japan (nuclear issues)

Mr. David J. Birch, United Kingdom of Great Britain and Northern Ireland (weapons of mass destruction proliferation)

Mr. Victor D. Comras, United States of America (finance)

Ms. Xiaohong Dang, People's Republic of China (export control, nuclear items)

Mr. Erik Marzolf, France (missile technology)

Mr. Young-wan Song, Republic of Korea (regional issues)

Mr. Alexander Vilnin, Russian Federation (customs)

I have designated Mr. David Birch to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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United Nations A/63/939–S/2009/417

General Assembly
Security Council

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13 August 2009

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General Assembly
Sixty-third session
Agenda item 21
Question of Cyprus

Security Council
Sixty-fourth year

Letter dated 10 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Security Council

Upon instructions from my Government and further to the letter dated 5 June 2009 from H.E. Mr. Minas A. Hadjimichael, Ambassador and Permanent Representative of the Republic of Cyprus to the United Nations, I have the honour to draw your attention to new violations of the international air traffic regulations and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded from 1 June to 31 July 2009, as follows.

On 1 June 2009, four F-16 and two Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus twice.

On 2 June 2009, six F-16, two F-4 and five Cougar Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus six times.

On 3 June 2009, one C-130 and two Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 4 June 2009, two Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 5 June 2009, two Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 8 June 2009, two Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 9 June 2009, one F-16 and three Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus twice.

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On 10 June 2009, one B-200 and three Cougar Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 11 June 2009, two Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 12 June 2009, two Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus.

On 14 June 2009, one C-130, one B-200 and one C-160 Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus six times.

On 15 June 2009, three CN-235, one C-160, one Cougar and one AB-412 Turkish military aircraft violated international air traffic regulations nine times and the national airspace of the Republic of Cyprus nine times.

On 16 June 2009, four Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 17 June 2009, one C-160, one CN-235, three Cougar and two AB-412 Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus six times.

On 18 June 2009, one C-160, two CN-235, one Cougar and one AB-412 Turkish military aircraft violated international air traffic regulations seven times and the national airspace of the Republic of Cyprus seven times.

On 21 June 2009, one C-130 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 24 June 2009, twelve F-16, two CN-235 and one Cougar Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus four times.

On 25 June 2009, two C-160 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 26 and 27 June 2009, one C-160, one C-130 and two Cougar Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus five times.

On 29 June 2009, two F-16 Turkish military aircraft violated international air traffic regulations.

On 30 June 2009, two Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 1 July 2009, one CN-235 Turkish military aircraft violated international traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 2 July 2009, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 4 July 2009, one C-130, one C-160 and one CN-235 Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus six times.

On 6 July 2009, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 7 July 2009, two Cougar and one AB-205 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 8 July 2009, two F-16, two C-160, one B-200 and two Cougar Turkish military aircraft violated international air traffic regulations nine times and the national airspace of the Republic of Cyprus eight times.

On 9 July 2009, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 10 July 2009, two Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 13 July 2009, two F-16, one AB-205 and five Cougar Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus three times.

On 15 and 16 July 2009, two C-160, two Cougar and one AB-205 Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus five times.

On 16 July 2009, two C-130 and two Cougar Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus five times.

On 17 and 18 July 2009, one CN-235 and one B-200 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 20 July 2009, nine NF-5, two CN-235, one C-208 and two Cougar Turkish military aircraft violated international air traffic regulations nine times and the national airspace of the Republic of Cyprus nine times.

On 21 July 2009, nine NF-5, two F-4, one B-200 and two C-160 Turkish military aircraft violated international air traffic regulations nine times and the national airspace of the Republic of Cyprus eight times.

On 22 July 2009, two F-16, four C-160, one B-200, one C-130 and one Cougar Turkish military aircraft violated international air traffic regulations fourteen times and the national airspace of the Republic of Cyprus thirteen times.

On 24 and 25 July 2009, two CN-235, one C-160 and two Cougar Turkish military aircraft violated international air traffic regulations eight times and the national airspace of the Republic of Cyprus eight times.

On 28 July 2009, eight F-16 Turkish military aircraft coming in four formations violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 29 July 2009, two F-16 and one Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus.

On 30 July 2009, two F-16 and one Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus.

On 31 July 2009, two F-16 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On behalf of my Government, I strongly protest the aforementioned violations by Turkey and call for their immediate cessation. Turkey's continuous policy of violating international law and ignoring international norms and regulations continues to severely jeopardize the safety of international civil aviation and further contributes to the sense of insecurity on the island.

Turkey, now serving as a non-permanent member of the Security Council, should abide by the Charter of the United Nations and the Security Council resolutions, and refrain from its attempts to impose the de facto division of Cyprus. Turkey should cease its efforts to upgrade the illegal secessionist entity in the occupied areas of the Republic of Cyprus. Such actions do not contribute to the maintenance of a conducive atmosphere for the full-fledged United Nations-led negotiations of the leaders of the two communities for a viable solution to the problem of Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Louis **Telemachou**
Chargé d'affaires, a.i.

United Nations S/2009/418

Security Council

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14 August 2009

Original: English

Letter dated 12 August 2009 from the Secretary-General to the President of the Security Council

With reference to Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), I have the honour to convey the attached letter from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union, transmitting the seventeenth report on the activities of the European Union military mission in Bosnia and Herzegovina (see annex). The report covers the period from 1 December 2008 to 28 February 2009. I apologize for the delay in transmitting the report.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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Annex

Letter dated 20 March 2009 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union addressed to the Secretary-General

In accordance with the provisions of Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), I enclose herewith the seventeenth quarterly report on the activities of the European Union military mission in Bosnia and Herzegovina (see enclosure). The report covers the period from 1 December 2008 to 28 February 2009. I should be grateful if you would transmit the report to the President of the Security Council.

(*Signed*) Javier **Solana**

Enclosure

Report of the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union on the activities of the European Union military mission in Bosnia and Herzegovina

I. Introduction

1. This report covers the period 1 December 2008 to 28 February 2009.

2. United Nations Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008) request that Member States, acting through or in cooperation with the European Union (EU), report to the Council on the activities of the European Union Military Mission in Bosnia and Herzegovina (EUFOR), through the appropriate channels and at least at three-monthly intervals. This document is the seventeenth such report.

II. Political background

3. Following their initial agreement on 8 November, SNSD, SDA and HDZ continued to meet during the reporting period, and some limited progress was made. A constitutional amendment on the status of Brčko District was adopted by the Council of Ministers and entered the parliamentary procedure in February. Discussions on State property continued, but no agreement was reached because the positions of the parties remained far apart. Discussions on constitutional reform broke down on 21 February. Agreement on Brčko District and State property are the two main outstanding objectives, along with "a positive assessment of the situation in BiH by the PIC SB based on the full compliance with the Dayton Peace Agreement", that would allow for the Peace Implementation Council to decide on the possible closure of the Office of the High Representative. No meaningful progress was made on the resolution of defence property in the reporting period.

4. On 26 January, Miroslav Lajčák accepted the invitation to become Minister for Foreign Affairs of Slovakia and stepped down as EU Special Representative with immediate effect, while remaining as High Representative until a successor is appointed, the process for which is ongoing.

5. On 17 February, the State Investigation and Protection Agency (SIPA) handed over documents in support of a criminal investigation against Dodik and others to the State Prosecutor. Republika Srpska politicians responded with a series of threats to withdraw from State institutions. Furthermore, the report has been called into question because of alleged irregularities in its filing procedure.

III. Security situation and EUFOR activities

6. The overall security situation in Bosnia and Herzegovina remained calm and stable throughout the reporting period. Although nationalistic rhetoric continued, it had no impact on the safe and secure environment. EUFOR continued closely to monitor the security situation.

7. The force of some 2,200 EUFOR troops is concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina. EUFOR continues to conduct operations in line with its mandate: providing

deterrence; ensuring continued compliance in relation to the responsibilities specified in the General Framework Agreement for Peace, annexes 1 (a) and 2; and contributing to the maintenance of the safe and secure environment. EUFOR also continues to support the Bosnia and Herzegovina law enforcement agencies in fighting organized crime in close cooperation with EUPM; and the International Criminal Tribunal for the former Yugoslavia (ICTY) in the search for persons indicted for war crimes.

8. During the reporting period EUFOR, in response to ICTY requests, and with the support of the North Atlantic Treaty Organization and local police, carried out search operations against support networks for persons indicted for war crimes.

9. There was further progress during the reporting period in the area of joint military affairs. EUFOR and the Armed Forces of Bosnia and Herzegovina (AFBiH) continued to conduct joint inspections of the latter's ammunition and weapon storage sites. EUFOR continues to monitor and advise in order to ensure the self-sustainability of AFBiH capabilities. EUFOR continued to assist and support AFBiH with planning for the disposal of surplus arms and ammunition. The Bosnia and Herzegovina Ministry of Defence disposal plan awaits approval by the presidency of Bosnia and Herzegovina pending political agreement on State property. EUFOR has made the necessary technical preparations on civilian movement control (control of the movement of weapons and ammunition by Bosnia and Herzegovina contractors), and is ready to hand over responsibility to the Bosnia and Herzegovina authorities once they have adopted the necessary legislation.

10. During the reporting period, EUFOR and AFBiH continued further to develop and conduct combined training based on AFBiH requests to intensify training in specific military fields.

11. Following the Council of the European Union tasking on 10 November 2008, preparatory work for a possible evolution of the operation continues, taking into account the future role of the EU Special Representative.

12. On 4 December, Major General Stefano Castagnotto succeeded Major General Ignacio Martí Villalaín as Force Commander.

IV. Outlook

13. The security situation is expected to remain stable despite the prospects of continuing political tension.

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Security Council

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General Assembly
Sixty-fourth session
Item 108 of the provisional agenda*
Report of the Secretary-General on the Peacebuilding Fund

Security Council
Sixty-fourth year

The Peacebuilding Fund

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 63/282 and covers the activities of the Peacebuilding Fund from 1 July 2008 to 30 June 2009. As at 30 June 2009, the Fund's portfolio stood at $312.9 million, with deposits totalling $309.6 million having been received from a broad base of 45 donors. The Fund is currently active in 12 countries, directly contributing to building the foundations for peace in countries emerging from conflict or helping post-conflict countries to prevent a relapse into conflict.

Recent evaluations and performance reports submitted by recipient organizations confirm that early notable results have been achieved during the Fund's initial two years and that the Fund has the potential to fill a unique peacebuilding niche. The evaluations also identified a number of management and operational challenges: those are being addressed in part through a revision of the Fund's terms of reference and in part through management improvements instituted by the Peacebuilding Support Office. The revised terms of reference were endorsed by the General Assembly on 17 June 2009, and give impetus for a broad revision of the Fund's operational and procedural guidelines.

* A/64/150.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 63/282, in which the Assembly requested the Secretary-General to submit an annual report on the operation and activities of the Peacebuilding Fund. The report covers the period from 1 July 2008 to 30 June 2009, and reflects the highlights of the consolidated annual progress report prepared by the Fund's administrative agent, the Multi-donor Trust Fund Office of the United Nations Development Programme (UNDP). It offers insights into the administration and use of the Fund and gives an overview of the scope of activities and key results to date. Efforts to identify ways to improve the efficiency and effectiveness of the Fund are described along with emerging lessons and recommendations.

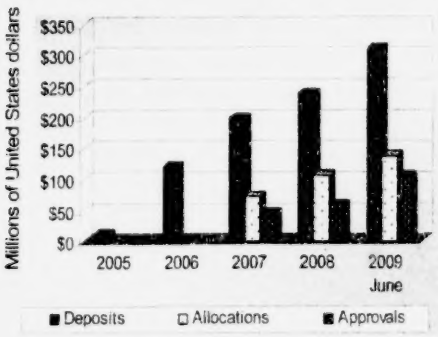
2. The report is informed by evaluations and reviews, in particular by the findings and recommendations of an independent evaluation undertaken by the Office of Internal Oversight Services (OIOS) during the second half of 2008, which highlighted both the successes and the challenges of implementing the Fund. In that connection, the report outlines how the Peacebuilding Support Office has been addressing the emerging challenges through its management response to the evaluation, working in close collaboration with other United Nations partners and stakeholders.

II. Administration and use of the Fund

A. Deposits, allocations, approvals and utilization

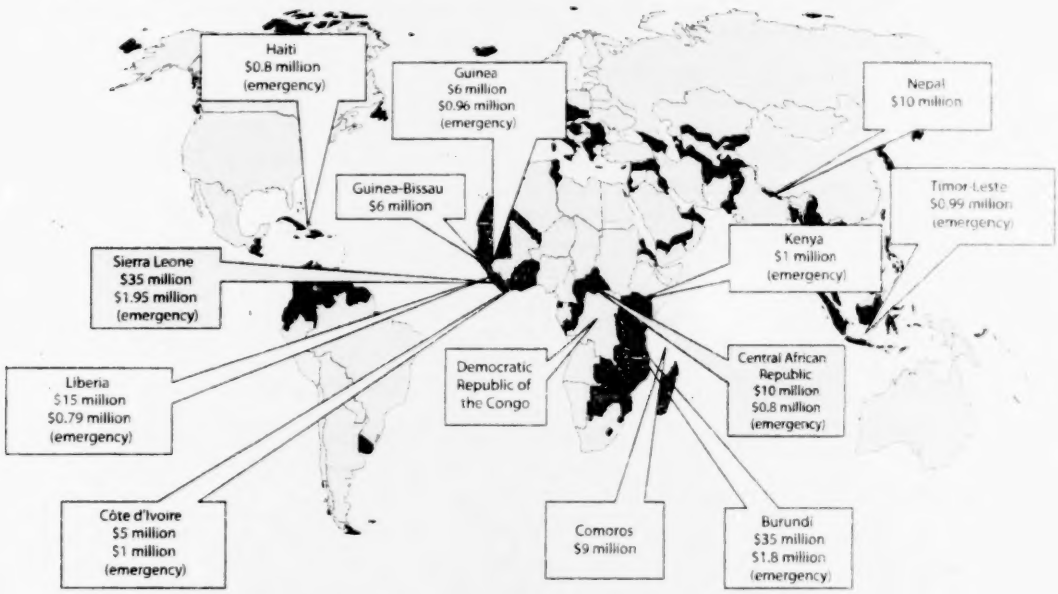
3. The financial situation of the Peacebuilding Fund from its inception to 30 June 2009 reflects robust growth (see figure I). At 30 June 2009, the Fund's portfolio stood at $312.9 million (up $44 million from June 2008), with deposits of $309.6 million (an increase of $71 million from June 2008). With 45 donors, the Fund enjoys one of the broadest donor bases of any multi-donor trust fund administered by the United Nations (see annex I). Eighteen countries had contributed more than once to the Fund, reflecting continued donor commitment to supporting the Fund and its objectives. The 10 largest contributors were Sweden, the United Kingdom of Great Britain and Northern Ireland, Norway, the Netherlands, Japan, Canada, Ireland, Spain, Germany and Denmark.

Figure I
Peacebuilding Fund portfolio growth: cumulative deposits, allocations and approvals, 2005-June 2009



4. Of the Fund's programmable funds (i.e., those received in the trust fund account) of $309.6 million, a total of $141.3 million had been allocated to support peacebuilding activities in 12 countries, four of which were countries on the agenda of the Peacebuilding Commission (see figure II). Five countries not on the Commission's agenda had been declared eligible for Fund support by the Secretary-General and had received such support. Nine country situations drew on emergency funding under the Fund, some also receiving support under priority plan funding.

Figure II
Peacebuilding Fund: geographical distribution of countries receiving support



Note: Shaded countries are those on the agenda of the Peacebuilding Commission.

5. The certified financial report of the UNDP Multi-donor Trust Fund Office for 2008 indicates that the funds transferred to recipient organizations totalled $87.7 million at 31 December 2008; by June 2009, that amount had increased to $115 million. In comparison with 2007, the number of participating United Nations organizations at the end of 2008 had increased from 6 to 11. The table below shows the distribution of funds allocated and transferred as at 31 December 2008. UNDP was the recipient organization having received the largest allocation ($67.3 million, or 77 per cent of the total funding available).

Peacebuilding Fund: project fund flows by recipient organization and implementation rate by country at 31 December 2008

(Thousands of United States dollars)

A. Project fund flows by recipient organization

	Number of projects	*Fund flows*	
		Transfers	*Expenditure*
International Organization for Migration (IOM)	2	4 611	1 249
Office of the United Nations High Commissioner for Human Rights (OHCHR)	1	400	77
United Nations Development Programme (UNDP)	38	67 257	38 767
United Nations Educational, Scientific and Cultural Organization (UNESCO)	1	900	—
United Nations Population Fund (UNFPA)	1	4 200	2 574
Office of the United Nations High Commissioner for Refugees (UNHCR)	3	2 800	941
United Nations Children's Fund (UNICEF)	1	189	30
United Nations Development Fund for Women (UNIFEM)	2	3 718	2 484
United Nations Office on Drugs and Crime (UNODC)	1	900	113
United Nations Office for Project Services (UNOPS)	2	2 694	870
Total	**52**	**87 669**	**47 105**

B. Implementation (delivery) rate by country

	Implementation rate (percentage)
1. Countries on Peacebuilding Commission agenda	
Burundi	64
Guinea-Bissau	39
Sierra Leone	53
Central African Republic	—
Average	57
2. Countries not on Peacebuilding Commission agenda	
Côte d'Ivoire	61
Liberia	14
Nepal	—
Guinea	—
Comoros	—
Average	37
3. Emergency projects (52 projects)	43
Overall	**54**

6. The project expenditures of each recipient United Nations organization, which are reported according to categories agreed by the United Nations Development Group (http://www.undg.org/docs/9442), show that implementation rates are lagging behind expectations and confirm concerns raised by key stakeholders of the Fund. The implementation rates, determined in terms of expenditure as a proportion of total amount transferred by country, reflect both the difficulty of operationalizing the Fund in post-conflict settings with weak local-level capacities and the effect of protracted country-level project vetting processes following the allocation of funds. In some cases, the rates may be misleading, as for Liberia, where several projects were approved only in the second half of 2008 and would not be expected to have a high implementation rate at year-end.

7. Estimates by the Peacebuilding Support Office for 2009 show significant increases in implementation rates, in part as a consequence of management efforts by the Office and by the recipient United Nations organizations. There is an increasing awareness and recognition that the Fund's performance should be measured not only by short-term implementation rates but also, and more importantly, by the longer-term success of the processes, capacity-building and broader national ownership it supports.

B. Mobilizing funding for peacebuilding

8. While the Fund's current funding position is solid, the global financial crisis may well have an adverse impact on future funding for peacebuilding and this has to be taken into account when Fund allocations are being programmed and when Fund-supported projects are looking for additional funding. In addition, the Peacebuilding Support Office will have to contemplate continuing funding for activities that were intended to be initiated by the Fund but then continued by donors and Governments. Early indications are that fund-raising is becoming more difficult.

9. The evaluations also indicated out that the Fund had yet to demonstrate its catalytic value in terms of attracting additional resources. While a number of activities have been able to attract additional donor or Government funding (see para. 26), some critical initiatives will have to be discontinued for lack of additional funding. The importance of building fund-raising and partnership strategies into project designs and of making that a condition for approval of funds has now been recognized and is being addressed with the support of the joint steering committees and the Peacebuilding Commission.

10. In this regard, the Peacebuilding Support Office also intends to collaborate more closely with other relevant funding instruments, such as the European Union's Instrument for Stability, the World Bank's State- and Peacebuilding Fund and the UNDP Thematic Trust Fund for Crisis Prevention and Recovery, to explore joint funding or follow-up funding opportunities.

11. One of the Peacebuilding Fund's unique advantages is its ability to fund critical activities in the area of security sector reform, which is typically an underfunded sector. While 86 per cent of the Fund's resources allocated to activities in 2007 and 2008 corresponded to official development assistance, the 14 per cent not under the heading of official development assistance went to support human rights training for military personnel, provision of equipment and improved housing to boost morale and improve relationships with civilians.

III. Achievements by country and priority area

A. Country progress reports

Countries before the Peacebuilding Commission (window I)

Burundi

12. Peacebuilding in Burundi entered a new phase in the country's efforts to emerge from a long civil war, following the 4 December 2008 agreement that had facilitated the transformation of the Parti pour la libération du peuple hutu-Forces nationales de libération (Palipehutu-FNL) into a political party. The creation of political momentum conducive to effective disarmament, demobilization and reintegration of this last armed group in Burundi was achieved with additional and timely assistance provided by the Peacebuilding Support Office. Of the 18 projects approved, 4 had been completed and the rest were expected to be closed by the end of December 2009, with the exception of one recently initiated project on socio-economic reintegration and community recovery of populations affected by war in three provinces. During the past 12 months, implementation improved and the delivery rate against the total budget of $35 million reached 75 per cent at the end of the first half of 2009. The improvements in monitoring and evaluation capacity during 2009 enabled both the steering committee and the implementing agencies to undertake more rigorous tracking of project progress. Some peacebuilding initiatives combining Fund projects and other means of intervention were beginning to show some tangible results in the areas of administrative and political governance, justice and human rights, the fight against corruption, security sector reform and the empowerment of women and civil society. The ongoing national dialogue process was expected to help restore social trust after decades of violence.

13. The Peacebuilding Support Office quickly released additional emergency funding for the demobilization and reintegration of FNL combatants in Burundi, resulting in the registration of more than 5,000 of the 11,000 adults associated with FNL, they were issued return kits, paid the first instalment of return assistance and transported to their home communities. Support under the Fund complemented other efforts that enabled some 3,500 FNL elements to be assimilated into the military and police.

Central African Republic

14. Peacebuilding in the Central African Republic continued to face challenges in building on the momentum created by the national political dialogue in late 2008, including the formation of a broad-based government and the establishment of a disarmament, demobilization and reintegration steering committee to consolidate the momentum for peace; and in overcoming threats posed by sporadic rebel violence in the north. Pending the start-up of demobilization activities, critical preparatory work advanced and provisional lists of potential ex-combatants, were submitted to the United Nations. Initial funding of $4 million (40 per cent of the Fund envelope) was used to start up that exercise, while additional appeals were made to the wider international community for further DDR support for disarmament, demobilization and reintegration, which was a critical precondition for improved security and peaceful elections. The priority plan funded 11 projects in the following areas: (a) support for the demobilization and reintegration process (60 per cent of the total

envelope); (b) governance and rule of law, primarily to support human rights and women's networks (14 per cent); and (c) revitalization of communities affected by conflict (26 per cent). Work on the United Nations integrated strategic framework was completed in May 2009, enabling the initiation of discussions for a second tranche under the Fund.

Guinea-Bissau

15. The period under review was characterized by significant political and military tension in Guinea-Bissau. The prevailing political situation had had a negative impact on peacebuilding efforts. As a result, three ongoing Peacebuilding Fund projects experienced disruptions. Notwithstanding those events, the meetings of the Peacebuilding Commission country-specific configuration on Guinea-Bissau coupled with numerous United Nations country support visits enabled continuous engagement and tracking of project progress. A professional training and employment programme would provide training for 500 youths. To combat drug trafficking and organized crime, the Fund has provided support to enhance both police capacity and prison security. Public tenders for the rehabilitation of 10 military barracks were scheduled for July 2009.

Sierra Leone

16. In March 2009, Sierra Leone saw the worst political violence since the end of the civil war in 2002. An inter-party dialogue facilitated by the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) brought the two main parties to the negotiating table and the resulting agreements were laid down in a joint communiqué. Quick application of contingency funds provided for (a) setting up a commission of inquiry to investigate allegations of sexual violence during the disturbances and (b) rehabilitation of the damaged offices of one of the political parties. In support of the joint communiqué, two projects to be funded under the Fund's emergency facility were prepared by UNIPSIL and approved by the Peacebuilding Support Office in May 2009. These interventions are aimed at improving police control and techniques for riot control and fostering national political dialogue and reconciliation. Delivery of projects overall improved steadily over the past year. Notable results included improved outreach of the National Human Rights Commission, increased awareness of the recently passed Gender and Child Rights Act and a sharp reduction in the backlog of detainees awaiting trial (90 per cent of 600 cases cleared). At the request of the Government and following endorsement by country-level stakeholders and the Peacebuilding Commission, the priority plan was revised in August 2008 in order to address critical energy shortfalls in the country. To assess and better guide the implementation of Fund activities in the country, a midterm review was conducted by independent consultants in April 2009, creating an opportunity for the Government, the United Nations and civil society to improve performance prior to the final series of approvals. In addition to identifying improvements essential for the creation of a joint United Nations/UNDP vision, the evaluation highlighted the need for greater advocacy and effective management of stakeholder expectations regarding Fund-supported projects.

Countries declared eligible for funding by the Secretary-General (window II)

Comoros

17. The commitment of the Comoros to peacebuilding was evidenced by the launch in March 2009 of the "inter-Comorian dialogue", in advance of the operationalization of the Fund-supported priority plan (envelope of $9 million). The initial phase of the dialogue generated some consensus on governance, functioning of State institutions, harmonization of presidential mandates, and rationalization of the election timetable. But it also revealed deep divergences on aspects related to the procedures to be followed to implement necessary reforms. The United Nations country team devoted attention to building structures and capacities for the joint implementation support capacity and national institutions essential for rapid, effective and transparent implementation. For its part, the Government set up the Commission for National Solidarity to guide the peacebuilding process. The priority plan identified four priority areas of intervention, which were being translated into specific projects by recipient United Nations organizations together with national counterparts. Of these, a project to strengthen national peacebuilding and project management capacities had already been approved.

Côte d'Ivoire

18. While the security and political climate in Côte d'Ivoire continued to be relatively stable and calm, the political situation remained somewhat fragile, especially as elections were further postponed to late 2009. The Fund was providing support through a priority plan of $5 million comprising the support for the facilitation of the "inter-Ivorian direct dialogue" (follow-up to the emergency funding) within the framework of the Ouagadougou Political Agreement and assistance to Operation 1,000 Microprojects, a quick peace dividends project to support reintegration and rehabilitation of ex-combatants, former militia members and youth at risk in the interim period between the signing of the Agreement and the pending elections. By June 2009, at least 70 per cent of the allocation had been disbursed in support of a total of 3,407 participants, increasingly including women (18.3 per cent) and members of communities affected by conflict; that total broke down as follows: 1,099 ex-combatants, 757 former militia members, 847 youth at risk and 704 community members. Plans were under way to evaluate this project and explore ways to strengthen the sustainability of these initiatives and identify follow-up funding. Sustainability of this effort remained a major challenge.

Democratic Republic of Congo

19. The Secretary-General declared the Democratic Republic of the Congo eligible to receive Peacebuilding Fund funding on 17 June 2009. Eligibility was justified by the situation in the eastern portion of the country, where elements of fragility and insecurity remained but significant opportunities for a durable peace were also present, mainly with the signing of accords and agreements between the Government and armed groups. Within the context of United Nations support to help the country sustain this positive momentum, the Peacebuilding Support Office will work with country-level partners to jointly identify priority support areas.

Guinea

20. Political instability in Guinea reached a peak in December 2008 following the death of the President and the subsequent takeover of power by a military junta. That development coincided with the finalization of the Peacebuilding Fund priority plan, which was deferred while the United Nations country team reassessed the situation and emerging peacebuilding priorities. The priority plan was approved in February 2009 with an initial funding envelope set at $6 million, aimed at ensuring inclusive and sustainable national dialogue, supporting human rights promotion, civic education and reform of the security sector, and strengthening the contribution of women and youth to conflict prevention and peacebuilding. A joint start-up mission of the Peacebuilding Support Office, the Department of Political Affairs and the United Nations Development Programme Bureau for Crisis Prevention and Recovery was fielded to Guinea in June 2009 and recommended approval of projects urgently to ensure that they would contribute positively to the transition process in the lead-up to the legislative and presidential elections scheduled for late 2009.

Liberia

21. As of May 2009, a total of 20 Peacebuilding Fund projects had been approved for Liberia, fully committing the allocated envelope of $15 million. The pilot project funded from the emergency funding window, for alternative reconciliation approaches in Nimba County, was independently evaluated in September 2008, with positive findings that enabled national-level roll-out of the pilot programme. Liberia was the first Peacebuilding Fund recipient country to establish a dedicated national peacebuilding office, located in the Ministry of Internal Affairs, the office is intended to build national conflict sensitivity and peacebuilding capacity and also carries the task of coordinating and managing the Fund's activities in the country. The action agenda of the office focuses on training in conflict sensitivity, fostering community peacebuilding networks and strengthening results-oriented monitoring and evaluation. Other Fund-supported activities charting new ground included the youth peace ambassadors, the Tumutu comprehensive disarmament, demobilization and reintegration approach and the partnership with the Ministry of Justice to establish a gender-based violence unit to deal primarily and decisively with the abuse of women, which started during the conflict era and continues with impunity in the post-conflict period.

Nepal

22. The Peacebuilding Support Office approved the Peacebuilding Fund priority plan for Nepal and committed $10 million to it in September 2008. The resources are channelled through the United Nations Peace Fund for Nepal and have helped to catalyse additional funding for peacebuilding. Projects have been approved under three priority areas of the Fund: strengthening of State capacity for sustaining peace, community recovery, and conflict prevention and reconciliation. Assistance under the Fund has enabled the United Nations country team to focus more on key structural dimensions of the conflict, such as creating new employment opportunities for a large and politically vulnerable young population.

3. Emergency funding (window III)

23. Under the Fund's initial terms of reference, emergency funding was provided for 9 one-off projects of less than $1 million. This facility has proved to be a flexible and responsive instrument that enables the Secretary-General to respond quickly to imminent threats to peace, while demonstrating the Fund's risk-taking capabilities. Nearly all the emergency projects, however, experienced implementation delays due to local circumstances that affected quick delivery. Project extension requests or requests for additional funding were received from Côte d'Ivoire (political dialogue facilitation required additional assistance following postponement of elections), the Central African Republic (inclusive political dialogue needed additional funding to conclude the process), Haiti (security reforms were delayed by pending relocation of affected communities), Kenya (community-based reconciliation required additional time and resources to scale up the process) and Burundi (political dialogue required additional funding to respond to the December 2008 agreement).

24. During the reporting period, four new emergency projects were approved, for Burundi (1 project), Sierra Leone (2) and Timor-Leste (1).

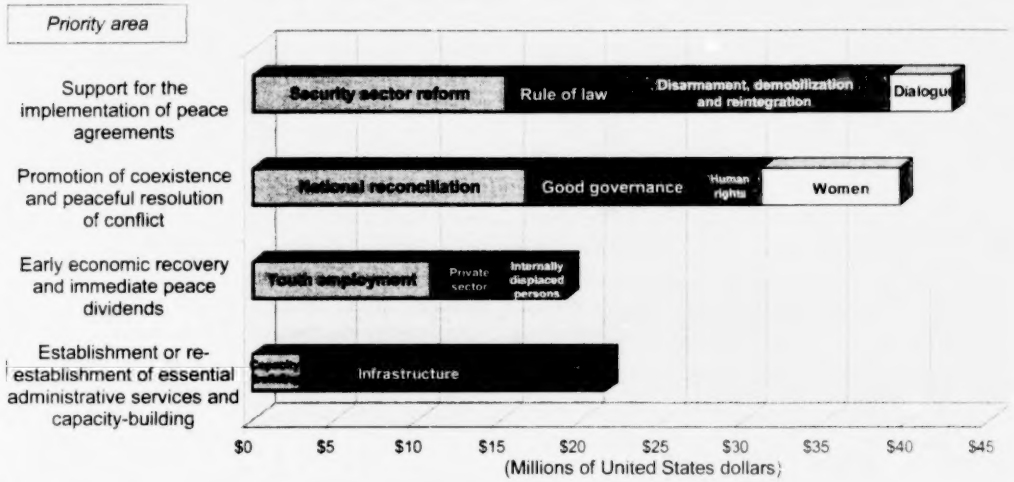
B. Key results obtained in the four priority areas of the Fund

25. Between July 2008 and June 2009, three additional priority plans and 40 new projects were approved, bringing the number of countries receiving Peacebuilding Fund support to 12, with 89 projects. With this doubling of the Fund's portfolio, the distribution of projects over the four priority areas identified for the Fund in the revised terms of reference (A/63/818, annex), remained largely the same. A portion of 35 per cent was allocated to support implementation of peace agreements, 33 per cent to the promotion of coexistence and peaceful resolution of conflict, 15 per cent to early economic recovery and peace dividends and 18 per cent to rebuilding infrastructure and technical capacity.

26. As of June 2009, 12 projects had been completed and 26 new projects had been started in the previous four months. An initial attempt to assess the catalytic effect of the Fund on the basis of recipient organizations' reports to 31 December 2008 revealed that 21 of the 51 projects in the Fund's overall portfolio had reported additional mobilized resources totalling $21 million, equivalent to 24 per cent of the overall approved budget of the Fund at that time.

27. A results-oriented analysis of the 10 priority plans and 89 approved projects identified 13 outcomes that reflect the intended results of each of the four priority areas of the Fund. In the present section, an overview of the key results achieved in 2008/09 is presented, highlighting the trends and critical challenges encountered (see figure III).

Figure III
Fund-approved project budget by priority area and outcomes



1. Support for the implementation of peace agreements

28. The Fund is largely intended to be used in the immediate aftermath of conflict when a serious risk of relapse into violent conflict exists. One third of the Fund's resources are directed at country-level support for the implementation of peace agreements, including immediate priorities in strengthening security and the rule of law. Political dialogue to maintain progress with agreements is proving to be an important aspect that the Fund can support, along with initial inputs into comprehensive disarmament, demobilization and reintegration programmes to assist the effective reintegration of ex-combatants.

29. A total of nine projects relating to security sector reform (with funding of $15 million) have been completed or are ongoing, concentrated largely in countries on the agenda of the Peacebuilding Commission, along with eight projects for the reintegration of ex-combatants ($16 million). The Fund's engagement in the areas of rule of law and of disarmament, demobilization and reintegration is intensifying, as both have been adopted as thematic priority areas in most Fund-supported countries. Fostering an independent judiciary with efficient legal procedures to reduce backlogs of court cases and pretrial detention periods is another priority area, with six projects valued at $7 million. In Côte d'Ivoire, a modest Peacebuilding Fund country programme of $5 million includes an element of support for the facilitation of political dialogue with third-party involvement; political dialogue is also supported by three emergency grants under the Fund.

30. Recipient United Nations have organizations reported that, although security and justice sector capacity was substantially strengthened in 2008, there were delays in project delivery due to an often-unpredictable institutional and security context. An example of this occurred in Burundi when violent confrontations with armed forces took place in 2008; the situation was resolved only when a disarmament, demobilization and reintegration agreement was reached later in the year. Other identified challenges included inadequate project staffing, meeting of international

legal standards by post-conflict countries and implementation delays owing to national elections.

2. Promotion of coexistence and peaceful resolution of conflict

31. In order to prevent conflict from reigniting, peacebuilding programme design needs to address the causes of the conflict as well as changed power relations in the immediate post-conflict period. Nearly 50 per cent of Fund-supported projects seek to build national and local capacity to better understand root causes and conflict drivers and to identify ways to promote peaceful coexistence.

32. A total of 17 projects have focused on national reconciliation, accounting for $17.9 million. A review of the Fund commissioned in 2009 on behalf of its five major donors identified this as the main underfunded peacebuilding area (www.unpbf.org/docs/PBF_Review.pdf). Common approaches include launching of land dispute settlement commissions; conducting of peace education, mediation and dialogue training; and lending of support for independent media and for truth and reconciliation commissions. Thirteen governance projects ($11.3 million) have emphasized improving leadership and the relationship between authorities and civilians, funding activities such as anti-corruption commissions and processes for free and fair elections. Through nine projects totalling $8.5 million, the Fund also prioritizes equal representation of women in peace processes, protection from gender-based violence and psychosocial and economic assistance for women affected by conflict. The number of projects addressing specific hardships faced by women in post-conflict countries increased dramatically from one to eight over the past year. Four projects totalling $4 million have supported awareness and access to human rights for the population at large, such as through the establishment of national human rights commissions and the transformation of indigenous legal practices.

33. Recipient United Nations organizations have underlined the successful support provided to national election commissions in Guinea-Bissau and Sierra Leone, filling a crucial funding gap and leading to orderly and calm elections. A pilot community reconciliation project in Liberia's volatile Nimba County succeeded in developing a model for conflict resolution, including mechanisms for settling property disputes. The success of this project in fostering reconciliation and post-conflict reintegration led to the roll-out of a similar approach at the national level. Challenges to such approaches include political risks affecting the performance of reconciliation and governance projects; limited political will and national ownership, along with difficulties in national legislatures; and inflexible positions of some key stakeholders. Such challenges attest to the fact that sustainable peacebuilding is not a short-term endeavour.

3. Early economic recovery and immediate peace dividends

34. A major threat to the stability of many post-conflict societies is the lack of economic opportunity, which results in massive and pervasive underemployment and unemployment, with youth being especially at risk. At the same time, young people are a country's most valuable asset for the future. Hence, the Fund is supporting six large-scale youth empowerment and employment projects, valued at $11 million. Eight projects ($7 million) support the reintegration of returning internally displaced persons and refugees, as well as reviving agricultural production and providing basic services as immediate peace dividends to the population at large.

35. Youth empowerment and employment figure high in the priority plans for Guinea-Bissau and Sierra Leone. Short-term labour projects are envisioned, to be complemented by medium- and longer-term employment initiatives by the Government and development partners for training and employing young people. The implementation of such programmes, however, is proving challenging, owing to limitations in local capacity and a lack of political consensus over who should benefit from the activities. Recipient United Nations organizations have furthermore acknowledged the need for a stronger gender focus so as to address significant disparities in literacy and economic opportunities.

36. Six projects were recently initiated to assist internally displaced persons and refugees in returning to and reintegrating in communities and reviving agricultural production. This is a vast increase over only two approvals during the previous year. A good example can be drawn from the Central African Republic, which decided to prioritize the urgent reintegration of ex-combatants and affected populations over investments in security and judiciary reform, deciding that the latter could be funded from subsequent Fund allocations to the country.

4. Establishment or re-establishment of essential administrative services and capacity-building

37. Eight projects ($21 million) have supported authorities in post-conflict settings to rapidly restore essential administrative services and boost related institutional and technical capacity for service delivery. Outcomes have included improved infrastructure (such as electricity, sewerage and water supply) and institutions that are able to function better, including through the construction of barracks, courthouses and prisons.[1]

38. To date, one project, building 32 courthouses in rural provinces of Burundi, has been completed. This boosted rural employment and improved access to the judiciary for local populations. Overall, Fund allocations to infrastructure increased 50 per cent in 2008, largely due to a one-time gap-filling allocation to maintain electricity supply in key regions of Sierra Leone as articulated in the national Integrated Strategic Framework endorsed by the Peacebuilding Commission's country-specific configuration.

C. Lessons learned

39. Countries emerging from conflict typically have many needs, all of which seem to be priorities. Governments and partners are pressured to deliver peace dividends immediately at a time when capacities and resources are very limited. This largely characterizes the environment in which the Peacebuilding Fund has operated and continues to operate. Emerging lessons and experiences noted in the previous report remain for the most part pertinent (A/63/218-S/2008/522). Progress was made, however, in the present reporting period in defining responses, as more lessons, including those indicated below, continued to be garnered from recent experiences.

[1] Projects combining technical and human capacity-building aimed at an explicit peacebuilding outcome are listed under the first priority area (support for implementation of peace agreements) or under the second priority area (peaceful conflict resolution).

40. *The start-up phase of Peacebuilding Fund activities in a country is one of the most critical and labour-intensive periods for the United Nations country team and its national partners, yet there is little spare capacity to meet the new demands entailed in start-up. It is therefore absolutely essential to ensure greater focus on start-up support to address weak planning, programming and implementation capacity.* Given the considerable lag between the declaration of eligibility for support under the Fund and the approval of the first projects, more upfront support from the Peacebuilding Support Office and the UNDP Multi-donor Trust Fund Office, with key partners such as the UNDP Bureau for Crisis Prevention and Recovery, the Department of Political Affairs and the Department of Peacekeeping Operations, is warranted for the development of priority plans and initial projects. This should be coupled with the development of training curricula and partnerships to strengthen capacity on the ground in the initial months.

41. *Synergy between the Peacebuilding Fund and the Peacebuilding Commission has improved but there is scope for better calibrating the engagement between the Fund and the Commission.* Members of the Peacebuilding Commission could play a greater role in helping to identify and promote the engagement of bilateral and multilateral donors. This is particularly important during the later stages of implementation with a view to phasing out the Fund's involvement to make way for more substantial and sustainable resource bases, such as country-level multi-donor trust funds. The Commission's influence could also be tapped to support policy choices and prioritization in national budgets to favour actions that serve to consolidate a participative peace. The Fund's revised terms of reference underline synergy and closer collaboration in countries before the Commission. Innovative and successful approaches supported by the Fund could provide a wealth of experience for the Commission's Working Group on Lessons Learned and enrich the country debate.

42. *More attention needs to be given to the critical role of the joint steering committees and to ensuring that they are able to play their role to the fullest.* National joint steering committees, with diverse membership and co-chaired by the senior United Nations official and a senior Government counterpart in the country, are a fundamental feature of the Fund designed to promote national ownership and capacity. The role of the joint steering committees needs to be further enhanced, for example in the area of results-oriented planning, monitoring and evaluation.

43. *Sound and sustained peacebuilding needs effective partnerships at all levels.* More needs to be done to ensure effective partnership at all levels. While this starts at the country level, where partnerships between the Government, civil society, donors, the private sector and the United Nations are crucial to the success of peacebuilding, it is also played out at the global level, where improved synergy between the Peacebuilding Commission and the Peacebuilding Fund can lead to a greater catalytic impact of the Fund. The success of Fund-supported activities depends, to a large extent, on good collaboration and cooperation between the Peacebuilding Support Office and the rest of the United Nations system, especially the agencies, funds and programmes. The recently established inter-agency task force is expected to guide and ensure broad support and engagement of the United Nations system in the review and enhancement of the Fund's guidelines in line with its revised terms of reference.

44. *The tensions inherent in the concept underlying the Fund and the competing demands and expectations require a strong strategic communications strategy at both the field and global levels.* The Peacebuilding Support Office needs to better manage the diverse expectations of the Fund's key stakeholders at the global and national levels. At the global level, this should include strengthening the Office's communications with Member States and the United Nations system, in particular to explain to stakeholders the environment in which the Fund operates, the impact of that environment on the activities supported by the Fund, the Fund's ability to deliver rapidly and the value added by the Fund in promoting peacebuilding. At the national level, the Fund's purpose and priorities must be better communicated as well. Such a communications strategy demands sound monitoring, evaluation and lesson-learning capacity within the Office.

IV. Improving the responsiveness and effectiveness of the Fund

A. External evaluations

45. Emerging lessons from the first two years of operation indicate that the Fund has had a difficult start, in no small measure due to political demands to disburse rapidly before capacity and systems were in place or recipients had a clear idea of the purpose of the Fund. Despite this, considerable knowledge and useful lessons have emerged from recent activities. According to the OIOS evaluation and the review conducted in 2009 (see para. 32), the Fund has made considerable progress in helping to generate early peace dividends and strengthening recipient country capacity to promote peaceful resolution of conflicts and respond to threats that might lead to the recurrence of conflict. The evaluations also indicate, however, that the Fund could do better in a number of areas, emphasizing that there is a need (a) to strengthen the strategic focus of its funding; (b) to clarify the roles and responsibilities of key stakeholders; (c) to engage in critical start-up activities; (d) to improve its operational guidance; (e) to enhance communication and information-sharing; and (f) to accept the political realities of peacebuilding and manage expectations proactively. In addition, the evaluations called upon the Peacebuilding Support Office and its partners to identify and tackle the main and systemic sources of delays in the conceptualization and implementation of critical peacebuilding activities. The Office fully concurred with those action points in its management response and has developed a plan of action to address them.

B. Revision of the terms of reference

46. As set out in the Secretary-General's report on the arrangements for establishing the Peacebuilding Fund (A/60/984), the Peacebuilding Support Office initiated a revision of the Fund's terms of reference in 2008. The process of revision incorporated and benefited from a series of discrete processes, including a review of lessons learned from the Fund's activities, and extensive informal consultations and briefings held with Member States, donors, the Peacebuilding Commission and other stakeholders. The revision also reflected the proposals contained in the Secretary-General's report on peacebuilding in the immediate aftermath of conflict (A/63/881-S/2009/304) concerning the two ways in which the Fund could be used to catalyse early priorities and to bridge the funding gap between donor contributions

and funding disbursements. On the advice of Member States, the revised terms of reference transform the Fund's three-window architecture into two facilities: (a) the Immediate Response Facility (an expanded and more agile emergency window); and (b) the Peacebuilding and Recovery Facility (merging windows I and II). In its resolution 63/282, the General Assembly welcomed the revised terms of reference, thus opening the way for improving the Fund's performance through greater operational responsiveness, increased effectiveness and efficiency and enhanced synergy between the Fund and the Peacebuilding Commission.

C. Structural and management reforms

47. The evaluations also informed a series of structural and management improvements. The Peacebuilding Support Office's management response built on many actions already under way, and progress has been made regarding the recruitment of additional staff to fill critical capacity gaps hand in hand with increased partnership with United Nations agencies and departments and internal task-sharing within the Office.

48. An inter-agency task force has been formed to draw upon United Nations system expertise and provide practical inputs for guidelines on field programming and implementation of the Fund, and a series of meetings to share ideas and lessons on peacebuilding support is ongoing. Revised guidelines will better articulate the means of pursuing the Fund's core objectives and define the new structural arrangements as approved in the revised terms of reference. Clarifying the various roles and responsibilities at all levels, in particular in decision-making, reporting and accountability, is a paramount objective, including synchronizing arrangements with the UNDP Multi-donor Trust Fund Office as the Fund administrator. Initial work has also commenced with the United Nations and external partners, such as academic institutions, for stepping up related peacebuilding training, awareness-raising and field support, all with an emphasis on drawing upon and bolstering the Fund's effectiveness.

D. Focus on results and learning from the field

49. Results-based monitoring and reporting is a priority for the Fund in order to follow project progress, document effective and catalytic strategies and share lessons with key actors across Fund-supported countries. Responsibility for monitoring and reporting at the project level rests with the recipient United Nations organization, while the joint steering committee and the Fund's country-level secretariats monitor overall progress of the country programme. Quarterly project updates are compiled to allow the Peacebuilding Support Office, the UNDP Multi-donor Trust Fund Office, country-level joint steering committees and recipient organizations (at their respective headquarters) to monitor progress and results. Monitoring support missions were fielded to West Africa and staff exchanges were initiated between Fund-supported countries in Central and West Africa. In collaboration with academic institutions, a pilot monitoring and evaluation training exercise has been developed for the Fund's secretariats and joint steering committees, and is expected to lead to inputs for Fund-specific training modules.

50. The first two countries supported by the Peacebuilding Fund, Burundi and Sierra Leone, commissioned midterm reviews in 2009 to assess the relevance, effectiveness and efficiency of the projects and to provide a set of practical recommendations to aid in successful project completion and in the phasing out of Fund activities in those countries. In Sierra Leone, the joint review was initiated by the Government, UNDP (the main recipient United Nations organization) and UNIPSIL, and its conclusions indicated improved performance and delivery rates following a slow start-up. The review highlighted the need to strengthen project management, to ensure effective monitoring and reporting practices, to institute a communication strategy for wide dissemination of results and to enhance the Fund's catalytic effect. The midterm review in Burundi is scheduled for August 2009.

V. Management and oversight of the Fund

Activities of the Peacebuilding Support Office

51. The consideration and approval of new project requests slowed down during the second half of 2008 and in early 2009 in order to allow for the results of the various evaluation exercises and the review of the terms of reference to be reflected in an improved management and guidance system. In response to the evaluations, the Peacebuilding Support Office embarked on management improvements in the following four priority areas: (a) strengthening global management: review of existing accountability mechanisms and decision-making processes; review and staffing up of the Fund's global office to meet programmatic fund management needs and review of the division of labour with the UNDP Multi-donor Trust Fund Office; (b) improving guidelines and training: update of guidelines to reflect the new terms of reference and development of a training package for operational and programmatic issues; (c) strengthening support for Fund-supported countries: stronger field management structures; increased Peacebuilding Support Office engagement during the start-up phase; organization of an annual training event for Fund-supported countries and increased monitoring visits to those countries; and (d) improving communications and outreach: development of a global and country-level communications strategy and regular progress reporting to both the Fund and the Fund's donor group. The Peacebuilding Support Office, in collaboration with the UNDP Multi-donor Trust Fund Office, UNDP and the Department of Political Affairs, fielded support and start-up missions to Burundi, the Central African Republic, the Comoros, Côte d'Ivoire, Guinea, Guinea-Bissau, Kenya, Liberia, Nepal and Sierra Leone.

Activities of the Advisory Group

52. Pursuant to the Fund's terms of reference, the Secretary-General appointed an independent advisory group to provide advice and oversight on the speed and appropriateness of the fund allocations and to examine performance and financial reports on its use to ensure accountability, effectiveness and transparency. The Peacebuilding Fund Advisory Group met in October 2008 and May 2009 to discuss the OIOS evaluation of the Fund, advise on the revision of the Fund's terms of reference and review the Fund's guidelines and procedures. The Advisory Group furthermore revisited and clarified its own terms of reference, in particular with regard to its oversight function vis-à-vis the Fund, and agreed to concentrate on three critical oversight tasks: (a) review of the policy on and speed of Peacebuilding

Fund allocations; (b) review of the performance of the Fund; and (c) identification of best practices and lessons learned in peacebuilding. The Advisory Group will participate actively in the reformulating of the guidelines and operational policies required to make the revised terms of reference operational.

VI. Partnership-building and collaboration with other funds

53. Some of the difficulties experienced by recipient United Nations organizations in implementing Fund activities reflect systemic constraints that cannot be fully resolved within the context of the Fund. Most recipient organizations do not have implementation modalities tailored to countries emerging from conflict and this puts limitations on their response capacity. The Peacebuilding Support Office has been working with its partners to identify solutions to some of those limitations. The Office has also increased its engagement and partnerships with other multi-donor trust funds, e.g. the Central Emergency Response Fund, the United Nations Trust Fund for Human Security and the UNDP Thematic Trust Fund for Crisis Prevention and Recovery; and further consultation meetings are planned in the context of revising the Fund's guidelines through the sharing of experiences, methodologies and lessons learned. In addition, the Office has shared its views on funding for peacebuilding in the context of the work of the Organization for Economic Cooperation and Development's International Network on Conflict and Fragility and will continue to do so with interested partners. Collaborative opportunities with specialized agencies, funds and programmes of the United Nations have recently been stepped up, with the Development Operations Coordination Office and the United Nations System Staff College harmonizing fund application within common country planning processes and supporting conflict prevention principles embedded in United Nations responses to national recovery and development plans.

VII. Conclusions and the way ahead

54. The Fund has demonstrated its potential to fill a critical niche in the area of peacebuilding. While much remains to be done, evaluations have documented early successes and innovations that underline the importance and relevance of this new funding instrument. The teething problems faced by the Fund are not unusual for a new fund. Much has been learned during the initial two years of full operation and this must now inform a concerted effort by the Peacebuilding Support Office, recipient United Nations organizations and Member States in order to fully address the shortcomings identified in the external evaluations.

55. The Fund's revised terms of reference provide an effective platform for improving its performance and application. Applying the new terms of reference while addressing the challenges identified in the evaluations should enable the Fund to serve as a fast-disbursing, agile, responsive and risk-taking peacebuilding instrument that can be fully utilized in the spirit of the Secretary-General's report on peacebuilding in the immediate aftermath of conflict.

56. The way ahead includes the establishment of full fund management capacity within the Peacebuilding Support Office in order to improve global and country-level support, in particular during the critical start-up phase of Fund activities in each country; the establishment of a robust accountability framework so as to

respond to the information and oversight requirements of the Fund's donors; improved synergy with the Peacebuilding Commission, in particular regarding countries on its agenda and for better capturing the lessons learned by activities through the Working Group on Lessons Learned; using the Fund to improve United Nations cooperation and collaboration on peacebuilding so as to strengthen the system's ability to support countries emerging from conflict; and expanding the Fund's operations to strategically assist more countries requiring urgent peacebuilding support.

Annex I

Peacebuilding Fund: cumulative pledges, commitments and deposits as at 30 June 2008

Donor	Pledges[a] (donor currency)	Commitments[b] (United States dollars)	Deposits (United States dollars)
Australia	$A 3 000 000	2 414 400	2 414 400
Austria	€1 500 000	2 108 550	2 108 550
Bahrain	US$ 10 000	10 000	10 000
Belgium	€2 477 651	3 647 407	3 647 407
Brazil	US$ 590 000	590 000	590 000
Canada	$Can 20 000 000	18 765 294	18 765 294
Chile	US$ 161 449	161 449	161 449
China	US$ 3 000 000	3 000 000	2 000 000
Croatia	US$ 30 000	30 000	63 000
Cyprus	US$ 20 000	20 000	40 000
Czech Republic	US$ 346 682	346 682	346 682
Denmark	DKr 50 000 000	8 878 509	8 878 509
Egypt	US$ 45 000	45 000	45 000
Finland	€4 800 000	6 543 638	6 543 638
France	€1 000 000	1 359 100	2 881 600
Germany	US$ 11 000 000	11 000 000	11 000 000
Iceland	US$ 1 000 000	1 000 000	1 000 000
India	US$ 2 000 000	2 000 000	2 000 000
Indonesia	US$ 40 000	40 000	40 000
Ireland	€10 000 000	12 600 000	12 600 000
Italy	€4 000 000	5 766 562	5 766 562
Japan	US$ 20 000 000	20 000 000	20 000 000
Kuwait	US$ 500 000	500 000	500 000
Libyan Arab Jamahiriya	US$ 50 000	50 000	50 000
Luxembourg	€916 927	1 256 551	1 256 551
Mexico	US$ 100 000	100 000	100 000
Morocco	US$ 5 000	5 000	5 000
Netherlands	US$ 46 456 518	46 456 518	46 456 518
Norway	NKr 200 000 000	32 124 458	32 124 458
Poland	US$ 100 000	100 000	100 000
Portugal	US$ 1 000 000	1 000 000	1 000 000
Qatar	US$ 200 000	200 000	200 000
Republic of Korea	US$ 3 000 000	3 000 000	3 000 000
Romania	€100 000	147 210	147 210
Russian Federation	US$ —	—	2 000 000

Donor	*Pledges*[a] *(donor currency)*	*Commitments*[b] *(United States dollars)*	*Deposits*
Saudi Arabia	US$ —	—	500 000
Slovenia	US$ 20 000	20 000	20 000
Spain	€8 900 000	12 001 999	12 001 999
Sweden	SKr 400 000 000	54 555 181	54 555 181
Thailand	US$ 10 000	10 000	10 000
Turkey	US$ 1 200 000	1 200 000	1 200 000
United Arab Emirates	US$ —	—	500 000
United Kingdom	£30 000 000	52 960 200	52 960 200
Organization of the Islamic Conference	US$ 20 000	20 000	20 000
Private donors	US$ 18 933	18 933	18 933
Total		**306 052 641**	**309 628 141**

Notes

[a] Pledges: voluntary contributions by donors pending formalization of letter of agreement.

[b] Commitments: contribution as per signed letter of agreement. United States dollar equivalents of commitments are estimated at United Nations operational exchange rates and are for indicative purposes only.

Annex II

Peacebuilding Fund projects approved in 2008/09

A. Burundi

Burundi Peacebuilding Fund Steering Committee approval date	*Burundi Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
3 November 2008	Human rights	UNDP	Reduction of violence by relaunching the national programme for the enforcement of decisions rendered by courts; and capacity-building for judicial institutions	158 520
18 November 2008	Democratic governance	UNDP	Initiation of dialogue among national partners	148 000
18 November 2008	Democratic governance	UNIFEM	Strengthening the role of women in the process of community reconstruction	105 193
24 November 2008	Democratic governance	UNFPA	Youth participation in social cohesion	200 005
24 November 2008	Security sector	UNDP	Rehabilitation of the barracks of the National Defence Forces to reduce their impact on the population	229 150
Total approved				**840 868**

B. Central African Republic

Central African Republic Peacebuilding Fund Steering Committee approval date	*Central African Republic Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
3 December 2008	Security sector reform	UNHCR	Reintegration of young people through employment	500 000
1 April 2008	Security sector reform	UNDP	Support for the start of the disarmament, demobilization and reintegration programme	3 955 710
12 November 2008	Security sector reform	UNICEF	Prevention of recruitment, demobilization and reintegration of children associated with armed forces and groups and other children and women	2 000 000
12 November 2008	Communities affected by conflict	FAO	Revival of agro-pastoral activities in Paoua, Bozoum and Ndelé	300 000
12 November 2008	Communities affected by conflict	FAO	Socio-economic recovery for communities affected by the conflict	300 000
12 November 2008	Communities affected by conflict	UNDP	Apprenticeship training for young people affected by the conflict	450 000
12 November 2008	Communities affected by conflict	UNESCO	Community radios for social cohesion throughout the country	324 000
12 November 2008	Communities affected by conflict	UNESCO	Vocational training centres in Bozoum, Bossangoa and Bria	355 000

Central African Republic Peacebuilding Fund Steering Committee approval date	*Central African Republic Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
12 November 2008	Communities affected by conflict	UNESCO	Expression and reconciliation	371 000
12 November 2008	Governance and rule of law	UNFPA	Empowerment of women affected by the conflict for community reconstruction	686 200
12 November 2008	Governance and rule of law	UNDP	Network of women leaders for women's rights	390 000
3 December 2008	Governance and rule of law	UNHCR	Training for women in human rights in Ouham-Pendé and Bamingui-Bangoran	368 090
Total approved				**10 006 000**

C. Côte d'Ivoire

Côte d'Ivoire Peacebuilding Fund Steering Committee approval date	*Côte d'Ivoire Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
12 June 2008	Support for the reintegration of ex-combatants, former militia members and youth at risk	UNDP	1,000 micro-projects for reintegration of ex-combatants and youth	4 000 000
12 June 2008	Support to the Ouagadougou Political Agreement	UNDP	Supporting implementation of Ouagadougou "direct dialogue"	1 000 000
Total approved				**5 000 000**

D. Liberia

Liberia Peacebuilding Fund Steering Committee approval date	*Liberia Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
25 September 2008	Fostering national reconciliation and conflict management	UNHCR	Community empowerment: peace, human rights and civic partnerships	932 400
17 October 2008	Fostering national reconciliation and conflict management	UNESCO	Peace, human rights and citizenship schooling	900 000
22 December 2008	Fostering national reconciliation and conflict management	UNDP	Volunteers for peace	450 000
22 March 2008	Fostering national reconciliation and conflict management	UNDP	Truth and Reconciliation Commission final initiative: consultations and national conference	350 000

Liberia Peacebuilding Fund Steering Committee approval date	*Liberia Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
22 March 2008	Fostering national reconciliation and conflict management	UNDP	Strengthening Government capacity to consolidate peace	600 000
22 March 2008	Fostering national reconciliation and conflict management	UNICEF	Youth empowerment and peace promotion	1 000 000
22 March 2008	Fostering national reconciliation and conflict management	UNOPS	Platform for dialogue and peace	1 000 000
25 September 2008	Strengthening State capacity for peace consolidation	UNHCR	Strengthening the rule of law	1 167 610
29 September 2008	Strengthening State capacity for peace consolidation	UNDP	Government Peacebuilding Office	902 759
22 December 2008	Strengthening State capacity for peace consolidation	UNDP	Improving Ministry of Justice prosecution services	1 082 000
22 December 2008	Strengthening State capacity for peace consolidation	UNDP	Strengthened public defence	750 066
22 December 2008	Strengthening State capacity for peace consolidation	United Nations Human Settlements Programme (UN-Habitat)	Support to the Land Commission	750 000
22 December 2008	Strengthening State capacity for peace consolidation	UNFPA	Strengthening prosecution of sexual and gender-based violence offences	792 857
22 March 2008	Strengthening State capacity for peace consolidation	UNDP	Enhancing police-community relations	750 000
25 September 2008	Critical interventions to promote peace and resolve conflict	UNDP	Tumutu Agricultural Training Programme	1 123 500
22 December 2008	Critical interventions to promote peace and resolve conflict	UNFPA	Psychosocial and community support	889 902
22 December 2008	Critical interventions to promote peace and resolve conflict	UNDP	Supporting the Anti-Corruption Commission	500 000
22 March 2008	Critical interventions to promote peace and resolve conflict	UNDP	Peaceful reintegration of high-risk youths through rural transport opportunities	250 000
Total approved				**14 191 904**

E. Sierra Leone

Sierra Leone Peacebuilding Fund Steering Committee approval date	*Sierra Leone Peacebuilding Fund priority area*	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
15 July 2008	Democracy and good governance	UNDP	Support to the National Anti-Corruption Strategy secretariat	349 034
15 July 2008	Democracy and good governance	UNIFEM and UNICEF	Supporting gender capacity, women's rights and child protection	802 640
15 July 2008	Democracy and good governance	IOM	Supporting the reparations programme as a recommendation of the Truth and Reconciliation Commission	3 000 000
5 June 2009	Democracy and good governance	IOM	Supporting the parliament in representation, oversight and legislative enactment	700 000
5 June 2009	Democracy and good governance	IOM	Attitudinal and behavioural change	140 000
5 June 2009	Democracy and good governance	IOM	Strengthening the Civil Society Peacebuilding Engagement Committee and women's organizations in peace consolidation	140 000
5 June 2009	Democracy and good governance	IOM	Regional cooperation in the Mano River Union	130 000
15 July 2008	Justice and security	IOM	Reformation, justice and security for prison inmates	1 610 933
15 July 2008	Justice and security	UNDP	Support to the Office of National Security	1 576 538
3 June 2009	Justice and security	IOM	Promoting women's participation in the SSR process	45 261
15 July 2008	Energy	UNDP	Emergency support to the energy sector	9 000 000
15 July 2008	Capacity-building of public administration	UNDP	Supporting the Government's capacity for peacebuilding engagement	348 125
5 June 2009	Public administration	UNDP	Independent national public broadcasting service	850.000
Total approved				**18 629 531**

F. Peacebuilding Fund emergency projects

Head of Peacebuilding Support Office approval date	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
11 May 2009	UNDP Burundi	Support to disarmament, demobilization and reintegration process, phase I	1 000 000
29 May 2009	UNDP Timor-Leste[a]	Support to internally displaced persons and communities affected by internally displaced persons	543 284

Head of Peacebuilding Support Office approval date	*Recipient United Nations organization*	*Project title*	*Approved budget (in United States dollars)*
11 June 2009	UNDP Sierra Leone	Political reconciliation and restoration of democratic institutions	946 950
11 June 2009	UNDP Sierra Leone	Support to police's public order maintenance capacity	909 870
Total funds for emergency projects			**3 940 445**

[a] Funding in the amount of $450,341 jointly approved for IOM.

United Nations A/ES-10/460–S/2009/420

General Assembly
Security Council

Distr.: General
14 August 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 13 August 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit a memorandum, addressed to the Secretary-General and the President of the General Assembly, which I received today from H.E. Mr. Tayseer Khaled, Head of the Palestinian National Committee for the Register of Damage caused by the construction of the Wall and member of the Executive Committee of the Palestine Liberation Organization, on the fifth anniversary of the International Court of Justice advisory opinion on the Wall (see annex).

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

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Annex to the identical letters dated 13 August 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic and English]

A Memorandum

To the United Nations' Secretary General,
To the Head and Members of the General Assembly,
From the Head and Members of the Palestinian National Committee for the Record of the damages caused by the Wall, after 5 years on the Relevant Advisory Opinion of the International Court of Justice

The Palestinian National Committee for the Register of the Damage caused by the Wall (PNCRoD), held a meeting on July 9th, 2009, commemorating the 5-year Advisory Opinion of the International Court of Justice(ICJ) with regard to " *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (OPT), taken pursuant to General Assembly's resolution no. (ES-10 / 14), which was passed in the thirty-two extraordinary session held on Dec. 8th, 2003. It's worth mentioning here that the PNCRoD was enacted by a decree issued by President Mahmoud Abbas' , and a by decision made by the Executive Committee of the Palestinian Liberation Organization (PLO).

In its meeting, the Palestinian National Committee stood before the relevant advisory opinion of the ICJ, the resolutions of the United Nations' General Assembly including the resolution to *establish* the United Nations Register of Damage, based in Vienna and affiliated to the United Nations, as well considered the Israeli State practices and the non-compliance to the advisory opinion that calls on Israel to stop construction works of the Wall ,to destroy what has already been built and the reparation for all damages incurred to the properties and interests of persons and Palestinian public institutions.

Thus, the committee decided to directly address and call on the United Nations Secretary General, and Head and Members of the General Assembly to hold on their responsibilities and press the State of Israel and its government to abide by the Advisory Opinion of the International Court of Justice with regard to the Wall, which it builds inside the 1967-Occupied Palestinian Territory in a flagrant violation of the International Law and resolutions of International Legitimacy.

On May 15th, 1948 Israel was declared as a state, pursuant to the recommendation of the United Nations General Assembly No. 181; the State of Israel won under the recommendation of the General Assembly (273), dated 11 May 1949, the United Nations' membership as a peace loving country, when expressly declared its full commitment before the Political Commission of the General Assembly to respect and implement all the resolutions of the United Nations pertinent to the Palestinian cause, including the recommendation made by the General Assembly for partition of Palestine, and internationalize the city of Jerusalem, the right of Palestinian refugees to return to their homes and properties, and other resolutions that

have been violated since the first day of the creation of the State of Israel. The State exerted its power to annex 23% of the land allocated to the Arab territory to the State of Israel, not only Israel did so, but it also resorted to annex more than half of the total land allocated to the Arab State through illegal ways, and contrary to the Covenant of the United Nations.

By force, it manages to impose the occupation and control the remaining territory of the Arab State in 1967. Despite the international community's rejection and condemnation of the Israeli occupation in 1967 , and its serious breach of the provisions of the Covenant of the United Nations and principles- based on the rejection of using force at the international relations level ; the State of Israel is still committed and determined to continue its occupation and the imposition of its control over the Palestinian territories, despite the fact that occupation violates and breach all of the rules and principles of international law and resolutions of the international legitimacy.

Israel didn't stop at this point of breaching principles and provisions of the United Nations' Covenant, and international legitimacy's resolutions, But conducted over the past years intentional implementation, planning and imposing a de facto policy of annexing Palestinian land to the Israeli Occupation, this was proved through findings and facts of which:

- Freeing hands and encouraging Israeli citizens to violate the Palestinian lands and properties through establishing hundreds of colonies, settlements, in the occupied Palestinian territories.

- Encouraging and transferring its population to settle in the Palestinian territories, providing administrative and financial facilities for those who wish to live and stay in the occupied Palestinian territories.

- Annexing the city of Jerusalem and the three Latroon Palestinian villages occupied in 1967, to the State of Israeli.

- Annexing thousands of dunums of the Palestinian lands to build the wall inside the Occupied Palestinian territory.

- Not only Israel neglected the advisory opinion of International Court of Justice on the wall and the need to remove it, and restitution to persons in question, but it also continues to complete the construction work despite the advisory opinion. These acts indicate Israel's disregard of the international community, its conventions and its resolutions.

The State of Israel's defiance to the international will, neglecting its resolutions, principles and laws, and the continuation of violating all legitimate rights of the Palestinian people to self-determination and permanent sovereignty over its resources and wealth

wouldn't have been occurring without the international community's silence and its unjustified inaction to shoulder its legal responsibilities stipulated in the covenant. this continued and prolonged silence encouraged the State of Israel to persist in the committing of its crimes against the Palestinian population in the occupied Palestinian territory, including crimes of murder, torture, ill-treatment, forced exile, and illegal arrest, imposing collective punishments through the closure and siege of cities and communities, deliberately putting people in difficult living conditions, looting of the Palestinians' resources and wealth, and destroying, looting and confiscating of their properties.

Israel horrible crimes, violations and other acts against the principles and provisions of the Covenant, drove the General Assembly to drop State description of Israel as a peace-loving state, being issued within many of the international resolutions of which: the General Assembly's resolution no. 24 / 209, "C" of Dec. 11th, 1987, and resolution no. 45 / 83, dated December 13th, 1990.

Not only this, but presenting the horrible Israeli practices and violations, the General Assembly had criminalized the State of Israel in an unprecedented speech that describes Israel as a State committing war crimes against the occupied Palestinian territories. The case is clearly mentioned in the context and content of the General Assembly's resolution A, B 43 /58, issued on Dec. 6th, 1988, which stipulates that "the General Assembly,... declares once again that Israel was and still is committing a serious breach of the provisions of the Convention, and considered the crimes as war crimes and insult for the humanity ...". This description was also confirmed by the General Assembly resolution 44 / 48, issued on Dec. 8th, 1989, resolution No. 45 / 74, issued on Dec 11th, 1990, and resolution No. 46 / 47, issued on Dec. 9th, 1990.

The wall that Israel began to build in June 2002, at the pinnacle of " the war of settlements' safety " or what Israel named at that time "Operation of the Defensive Shield" reflects in the design and implementation its aggressive nature, being the most serious stage, of the Israeli settlement expansion project. Hence, the International Court of Justice did not wrongly judge or the goal in the ruling issued by it in July 2004 concerning the wall.

In the political aspect, the International Court of Justice certified that the West Bank, including Jerusalem, of June 1967's borders, as being an occupied territories and not a disputed territory; and that building the wall in its current track, or tracks that the wall would have, puts a restriction on the right of the Palestinian people to self-determination, and the right of building an independent Palestinian State; a right guaranteed by international legitimacy resolutions including resolution no.181 of the partition in 1947. It is a right that should not be detracted whether implemented on time or later on.

The advisory opinion thus refutes the Israeli version, and the Israeli position on the identity of the territory on which Israel builds the wall, as being not only occupied West Bank – including Jerusalem, but as well it was also allocated to the Palestinian State by resolution 181. This is a very important connected political aspect in the advisory opinion of

International Court of Justice, besides its legal one. Thus, the advisory opinion connects the legal aspect and sheds light on the political aspect related to the Palestinian people right of self-determination, a right through which Israel tries to impose wide range of restrictions through building the wall.

Furthermore, the advisory opinion highlighted the status of Arab Jerusalem and its surroundings. It decided contrary to the Israeli claim, and annexation laws issued by the Knesset, that Jerusalem, in which the wall is built, and its surroundings, is an occupied Palestinian territory. Thus, Israel's claim that Jerusalem is the capital of the State of Israel is not valid anymore. It also decided that Israel must abide by the International Humanitarian Law, and International Human Rights Law to ensure freedom of access to Holy places that are under its control, which the construction of the wall in Jerusalem and its surroundings hinders.

It is not easy to divide the political and legal aspects at the advisory opinion of International Court of Justice, however, we can say that the opinion in the legal aspect, relevant to construction of the wall, had obviously specified that the route of the wall chosen by Israel was not necessary, and it is not convincing to achieve security goals. According to the advisory opinion of the Court being a Supreme International Judicial Authority, the wall in its current track associates a serious violation to the Palestinians' rights, and that the attacks caused by the construction of the wall, cannot be justified as of military necessities or requirements of national security or keeping Israel public order.

Thus, the International Court of Justice demanded the state of Israel to stop the ongoing construction works, and to demolish and remove constructed parts as being a flagrant violation of international law. It also demanded Israel, being an occupying State to restitute for the damages caused by the construction and demolition of the wall.

The advisory opinion of the International Court of Justice called, particularly, the United Nations' General Assembly and the Security Council for implementing measures to end the illegal situation caused by the construction of the wall. It also decided to form a Register to list the damages. It also called upon all United Nations member countries not to acknowledge the illegal situation resulting from the construction of the wall, and to refrain from providing any political, diplomatic, or material assistance to the State of Israel in this regard. As for the damages that the International Court of Justice's advisory opinion talks about are not only the damages of the individuals or financial damages but (all) the damages as stipulated in paragraph 163 of the Advisory Opinion, which means the damages of the people, governmental lands, WAQF land, municipal and local councils' lands, the communal land, pastures and natural resources, particularly, water resources, public property, and infrastructure, and others incurred to the social, health, and educational services.

The United Nations' General Assembly stood in more than one occasion against the Israeli policy, and commented the advisory opinion of International Court of Justice. That was in Dec. 2003, and in July 2004 when it decided to adopt the advisory opinion of the Court by

a majority of 150 States. In Dec. 2006, it decided to establish the office of the Register of Damage and Restitution by a majority of 146 states.

In spite of that, Israel continues the policy of neglecting the United Nations and the international community, besides that, the Wall continues to advance on the Palestinian lands. According to International Organizations estimations, including those affiliated to the United Nations, such as, Office of Coordination of Humanitarian Affairs (OCHA) and UNRWA, Israel has completed 66% of the construction of the wall, while currently continues to build 10% of its 723-length kilometers, equivalent to twice the length of the borders of June 1967. According to these estimations, dozens of thousands of Palestinian citizens, who hold West Bank's identity cards and residing in 35 communities will find themselves trapped between the wall and the Armistice Line of 1949, and about 250 thousands of the Palestinian citizens in Jerusalem and its surroundings. This means that, the wall will isolate about 285 thousands of Palestinian citizens from the West Bank. In addition and by various Monitoring Systems, about 125 thousand citizens are surrounded, living in 28 communities isolated by the wall from three directions, and about 26 thousand citizens residing in 8 communities isolated from four directions, and with more than 66 gates on the wall supplied Control Systems, half of which need permission to be accessed, from the occupation forces and to pass through, and the other half is closed. This is reality of the wall, it is a wall of annexation, expansion and is rightly considered as the most serious stage of the Israeli settlement expansion project implemented by Israel in the West Bank, including Jerusalem, through which Israel plans to lay hands on about 22% of the West Bank's land, and to control of the Palestinian underground aquifers. Next to the visible wall from the West, there is another invisible wall to the eastern border of the West Bank, with a depth of 15 - 20 kilometers which isolates areas of the Jordan Valley by a series of military orders and Control Systems, ditches and fences, which enable Israel to lay hand on about 23% of the West Bank, in an obvious measure aimed at drawing the parameters of any political settlement that Israel attempts to impose on the Palestinian people.

The Palestinian National Committee for the Register of the Damage expresses its appreciation for the efforts made by the General Assembly of the United Nations to condemn and denounce Israeli practices and violations, and to confirm the legitimate rights of the Palestinian people for self-determination, acquiring their legitimate rights to freedom, getting rid of the Israeli occupation and control, and in raising the issue of the Wall at the International Court of Justice. The Committee also hopes that the General Assembly seeks the embodiment and the practical implementation of the concept of international law, and the principles of international legitimacy through a serious and effective intervention to redress and protect the Palestinian people against the crimes and violations being committed against on Daily basis.

For the General Assembly to enforce implementation of the context of the advisory opinion of International Court of Justice and the legal obligations of the Israeli occupation, require immediate intervention of the General Assembly by:

- Taking obvious resolution to abide member states of the United Nations to refrain from acknowledging the facts imposed by Israeli occupation on the occupied Palestinian territory caused by the wall, and to ban providing any support that may help the occupying Power to continue building the wall.

- Taking explicit and unequivocal resolutions that obliges Israel to stop construction of the Wall, and remove what has been accomplished in building, to return the occupied Palestinian territories to the previous situation that was before the construction of the wall.

- Using diplomatic measures of influence and pressure through urging members of the United Nations to halt economic interactions with Israel in case it refused to abide by the General Assembly's resolutions, rules and principles of the International Law, and rules of the Covenant.

- At the same time, the PNCRoD calls on the United Nations' Secretary General to clarify the vision and mission of the office of the UNRoD, in Vienna that accomplished intake claims of individual loss in a number of villages in Jenin Governorate – north of the West Bank- with regard to registration's goal, procedures and whether this will be in a frame of an ongoing process that includes verifying Damages on the ground as a basic to evaluate the size and value of Damages caused by erecting the wall, not only for the individuals but also for the public institutions and public damage in accordance with the Advisory opinion of the International Court of Justice, and to take into consideration the views and demands that the National Palestinian Committee discussed with the UNRoD Office, specifically with the Executive Director Mr. Vladimir Goryayev in more than one occasion of which:

- Inaugurating an Office for the UNRoD in the occupied Palestinian Territories besides the Office in Vienna, in order to facilitate and develop cooperation between the Palestinian side, being the affected party, and the United Nations, in a way that preserves the Palestinian rights according to the Advisory opinion of the International Court of Justice.

- Boosting and developing method of registering the Damages through employing more qualified Crew and not suffice with the recently very limited number working in very slow process, to be able to accomplish this great task, which the affected people are bending great hope on it.

- To place the issue of claims and registration of damage in the city of Arab Jerusalem, on the agenda and priorities of the UNRoD team working in Palestine these days, in an obvious message to the Israeli government saying that the Advisory Opinion of the international Court of Justice considers the Arab Jerusalem as an integral part of the Occupied Palestinian Territory since 1967.

With Best Regards

Tayseer Khaled

T. Khaled

Head of the Palestinian National Committee for register of Damage, caused by the construction of the wall.
Member of the Executive Committee of the Palestinian Liberation Organization (PLO).

Ramallah: July 10th, 2009

United Nations S/2009/421

Security Council

Distr.: General
17 August 2009
English
Original: French

Letter dated 4 August 2009 from the Permanent Representative of Guinea to the United Nations addressed to the Secretary-General

As part of the process aimed at strengthening the dialogue between the National Council for Democracy and Development (CNDD) and the political stakeholders in Guinea, Captain Moussa Dadis Camara, Head of State, President of the Republic and Commander-in-Chief, held a meeting in Conakry in July 2009 with representatives of political parties, trade unions and civil society.

At the conclusion of the meeting, representatives of the country's political stakeholders proposed to the President of the Republic the creation of an ad hoc committee to conduct a midterm review of the transition process in Guinea and make practical proposals for the successful completion of the various stages of the process.

After acceding to the political stakeholders' request, the President of the Republic established a joint committee composed of 22 members, including representatives of political parties, trade unions and civil society, as well as representatives of CNDD, the Ministry of Territorial Administration and Political Affairs and the Independent National Electoral Committee (CENI).

The joint committee designated by consensus the Archbishop of the Anglican Church of Guinea as facilitator.

The first meeting of the committee was held in Conakry on Thursday, 23 July 2009.

Following a frank and open discussion, the ad hoc committee adopted the following agenda:

1. Investigation of the reasons for the delay in implementing the transition timetable;
2. Systematic and realistic assessment of the stages of transition and the establishment of requirements for proceeding with each stage;
3. Identification of the appropriate ways to revitalize the transition process immediately;
4. Identification of the administrative, technical and financial preconditions for the holding of parliamentary and presidential elections in 2009;
5. Proposed adjustments to the transition timetable.

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The committee set itself a time limit of 10 days to consider the various agenda items.

When it has completed its work, the committee must submit its conclusions in the form of proposals to the political stakeholders, CNDD and the President of the Republic for approval.

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Alpha Ibrahima **Sow**
Ambassador
Permanent Representative

United Nations S/2009/422

Security Council

Distr.: General
17 August 2009
English
Original: French

Letter dated 5 August 2009 from the Permanent Representative of Guinea to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the final communiqué of the fifth meeting of the International Contact Group on Guinea (ICG-G) (see annex).

I should be grateful if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Alpha Ibrahima **Sow**
Ambassador
Permanent Representative

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Annex to the letter dated 5 August 2009 from the Permanent Representative of Guinea to the United Nations addressed to the Secretary-General

[Original: French]
[17 July 2009]

Fifth meeting of the International Contact Group on Guinea

Conakry, 16 and 17 July 2009

Final communiqué

1. The fifth meeting of the International Contact Group on Guinea (the Group) was held in Conakry, Republic of Guinea, on 16 and 17 July 2009 under the co-chairmanship of Dr. Mohamed Ibn Chambas, President of the Commission of the Economic Community of West African States (ECOWAS), and Professor Ibrahima Fall, Special Envoy of the African Union, in the presence of Ambassador Ramtane Lamamra, Commissioner for Peace and Security of the African Union. In addition to ECOWAS and the African Union, the following organizations and countries attended the meeting: the United Nations, the European Union, the Mano River Union, the Community of Sahelo-Saharan States, the Organization of the Islamic Conference, the International Organization of la Francophonie, the Nigerian Minister for Foreign Affairs, representing the current Chairman of ECOWAS, the Libyan Arab Jamahiriya, a non-permanent member of the United Nations Security Council, Germany, Spain, Japan, and some permanent members of the United Nations Security Council, namely the United States of America, France, the United Kingdom and the Russian Federation. Other participants included the World Bank, the International Monetary Fund and the African Development Bank.

2. The Group takes note of the statement made by the Prime Minister of Guinea and the communications of the country's active civil population, the Minister of Territorial Administration and Political Affairs and the Chairman of the Independent National Electoral Commission.

3. The Group takes note of the disbursement of 15 billion Guinean francs by the National Council for Democracy and Development (CNDD) and the Government on 30 June 2009 as the first instalment of Guinea's financial contribution to the electoral process and urges the Guinean authorities to release the balance of 30 billion Guinean francs without further delay.

4. The Group takes note of the establishment of the ad hoc committee for the midterm evaluation of the transition timetable and urges it to make immediate, concrete proposals towards the elimination of obstacles impeding the implementation of the timetable. The Group furthermore commends the decision to limit the mandate of the ad hoc committee to the electoral calendar to ensure the holding of elections in 2009 and encourages it to complete its work within a period of 10 days starting from Monday, 20 July 2009. The Group commends the inclusion of the Group through its co-chairmen, who are participating as observers in the deliberations of the ad hoc committee.

5. The Group notes with satisfaction the resumption of dialogue between CNDD and the country's active civil population and encourages them to pursue the dialogue in a constructive and consensual manner with a view to achieving the transition objectives. To this end, the Group welcomes the meeting held on 17 July 2009 by the Chairman with the members of CNDD, as well as the meetings held by both the Government and the active civil population. It urges the active civil population to respond promptly to the proposal for an ordinance made by the CNDD Chairman regarding the establishment of the National Transition Council. The Group urgently calls on the two parties to reach a successful conclusion to the dialogue in the shortest possible time.

6. The Group notes with concern the delays in implementing the transition timetable, including those affecting the establishment of transition institutions and the resolution of the issue of the voting rights of Guineans abroad, and requests the authorities to take immediate steps to settle these matters. In this regard the Group calls for the National Transition Council to be made operational by the end of July 2009 and for it to finish its work by the end of August 2009.

7. To this end, the Group takes note of the CNDD Chairman's reaffirmation of his firm commitment to the Guinean people and the international community both that legislative and presidential elections will be held in 2009 and that the Chairman and members of CNDD and the Prime Minister will not be candidates in the elections, and it calls on the CNDD Chairman to formalize that commitment.

8. The Group recalls the measures taken to date by the international organizations represented in the International Contact Group on Guinea. It underscores the determination of the Peace and Security Council of the African Union to apply the provisions of the Constitutive Act of the African Union and the Lomé Declaration on Unconstitutional Changes of Government if the Guinean authorities fail to take promptly, in line with the timetable, any necessary steps to restore constitutional order.

9. The Group commends the partners that have already fulfilled their pledges (France, Germany, Japan, Spain, United Kingdom, United States, ECOWAS, European Union and United Nations Development Programme) and encourages those that have not yet done so to honour their commitments without further delay.

10. The Group urges CNDD and the Government to step up the fight against impunity. It notes with concern the repeated acts of violence and extortion committed by armed personnel in uniform against businessmen and civilians, as well as the violations of the freedom of expression and the freedom of movement of political parties, which constitute a veritable threat to the political stability needed to hold free, fair and credible elections. The Group underscores the importance of media access and freedom of the press to ensure the credibility of the elections.

11. The Group reaffirms its determination to support the transition process and the restoration of constitutional order on the basis of respect for mutual commitments made, as well as the willingness of its members to provide their contributions and assistance.

12. The Group expresses its gratitude to the Guinean authorities for their warm and fraternal welcome and for making the necessary arrangements for the meeting.

13. The Group reaffirms that the local contact group will follow up on the conclusions reached at the present meeting and decides to hold its next meeting at the beginning of September 2009 at a date to be determined after consultation.

Done in Conakry on 17 July 2009